IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.956 OF 1999

IN

SUMMARY SUIT NO.2750 OF 1999

Kantilal N. Chawda ...Plaintiff.

vs.

Mehmood Qadri & another. ...Defendants.

Mr.Ajay Fernandes with Jayesh Vyas i/b. Bilawala & Co. for Plaintiff.

None for Defendant no.2.

CORAM: D.K.DESHMUKH,J.

DATED: 13th February, 2007.

P.C.:-

1. This is a summons for judgment taken out by the plaintiff against the defendant no.2. The learned Counsel appearing for plaintiff states that the suit is already decreed against the defendant no.1. The suit is based on the bill of exchange of which the defendant no.1 is drawer and the defendant no.2 is acceptor. The defendant no.2 has been served with the summons for judgment. Affidavit of service

has been filed. Within the period allowed by Order 37 of C.P.C. the defendant no.2 has not filed any application for leave to defend. In view of the provisions of Order 37 of CPC, therefore, the plaintiff is entitled to judgment.

2. Heard the learned Counsel appearing for plaintiff. Perused the record. Summons for judgment is granted. Suit of the plaintiff is decreed in terms of prayer clause (a) as against the defendant no.2. Refund of Court fees as per rules. Suit is disposed of.